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COMMENTS OF JOHN SULLIVAN, CEO OF SUNDANCE HELICOPTERS,  
CONCERNING AIR TOUR MANAGEMENT PLANS FOR LAKE MEAD  
NATIONAL RECREATION AREA (LMNRA)

I want to thank the FAA for this opportunity to comment concerning the creation of air tour management plans for LMNRA.

The biggest concern I have is that the exemption for Grand Canyon tour flights which cross the LMNRA in order to get to the Grand Canyon are preserved.

My company conducts tour and charter flights out of our base of operations at McCarran International Airport in Las Vegas. On an average day we conduct about 20 Grand Canyon tour flights which cross LMNRA going to and from the Grand Canyon, two flights which cross LMNRA going to and from the canyon which are non revenue repositioning flights to Grand Canyon West airport, and two flights per day which fly to Hoover Dam and then turn back to Lake Las Vegas Resort and do not proceed on to the Grand Canyon. Of these three types of flights only the last ones mentioned, the Hoover Dam flights, are subject to the provisions of the new law for regulating overflights of National Parks and park units. The rest, all of which are going to or from the Grand Canyon, are exempt.

We have heard it argued that if the canyon tour flights are conducting a narration or the pilot is pointing out points of interest while flying over the LMNRA then it is not exempt because of the language "solely as a transportation flight". I believe it is somewhat being taken out of context. When this section of the law is read in its entirety then a different interpretation is made. It says: "LAKE MEAD - This section shall not apply to any air tour operator while flying over or near the Lake Mead National Recreation Area, solely as a transportation route, to conduct an air tour over the Grand Canyon National Park." I emphasize that it says **"any air tour operator while flying over or near the Lake Mead National Recreation area . . . to conduct air tours over the Grand Canyon."** In other words Congress acknowledges that these ARE tour flights with tourists aboard and by their very nature consist of playing taped narrations and/or pointing out places of interest. You can't have a tour flight to the Grand Canyon or any other place and not do these things. If these flight are done in a near direct way to and from the Grand Canyon then clearly they are exempt. My company will turn our tape decks off while crossing the lake if we have to, but I do not think that is what Congress had in mind when it wrote and approved this section.

Another way to look at it, if Congress did not intend that the Grand Canyon tour flights be exempt then what flights *were* they referring to when they specifically created this section?

I also want to point that a voluntary route and altitude system for crossing the LMNRA for the canyon flights was worked out many years ago as a cooperation arrangement between operators and LMNRA staff. I want to single out and give credit to Park Ranger Bruce Lenon for his hard work in putting this project together including the creation and

distribution of route charts. I know our company uses these charts to train our pilots and strive to stay on these routes and altitudes at all times. Like every complex system this one will need to be readjusted and modified from time to time as has been done over the years. But from my perspective, it has worked very well in accomplishing the goal of enhancing aviation safety while protecting the environment in the LMNRA.

Thank you for this opportunity to comment today.

*John Sullivan*  
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